

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**FLORA S. LEYGA,**  
*Claimant-Appellant,*

v.

**ERIC K. SHINSEKI, SECRETARY OF VETERANS  
AFFAIRS,**  
*Respondent-Appellee.*

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2012-7166

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Appeal from the United States Court of Appeals for  
Veterans Claims in 10-3290, Judge Donald L. Ivers.

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**O R D E R**

Upon review of this recently docketed appeal, it appears that Flora S. Leyga's appeal was not timely filed.

On May 4, 2012, the United States Court of Appeals for Veterans Claims entered judgment in Leyga's case. The court received Leyga's notice of appeal on August 13, 2012, 101 days after the date of judgment.

To be timely, a notice of appeal must be received by the Court of Appeals for Veterans Claims within 60 days of the entry of judgment. *See* 38 U.S.C. § 7292(a); 28 U.S.C. § 2107(b); Fed. R. App. P. 4(a)(1).

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Accordingly,

IT IS ORDERED THAT:

(1) Leyga is directed to show cause, within 30 days of the date of filing of this order why this appeal should not be dismissed as untimely. The Secretary of Veterans Affairs may also respond within that time.

(2) The briefing schedule is stayed.

FOR THE COURT

SEP 25 2012

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Flora S. Leyga  
David S. Silverbrand, Esq.

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**FILED**  
**U.S. COURT OF APPEALS FOR**  
**THE FEDERAL CIRCUIT**

**SEP 25 2012**

**JAN HORBALY**  
**CLERK**